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Atty. Dkt. No. SOLAR1120-3
(051264-0306)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank D. Husson, Jr.
Title: SOLAR WATER HEATER AND
PASTEURIZER
Appl. No.: 10/039,277
Filing Date: 1/4/2002
Examiner: Carl D. Price
Art Unit: 3749
Confirmation Number: 1245

RESUBMISSION OF PREVIOUSLY FILED REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: REFUND

Sir:

On May 17, 2005, Applicant filed a request for refund of \$510.00 for the duplicate petition for extension of time fee that was charged to deposit account No. 50-0872 in the above-identified application. This paper was received by the USPTO on May 17, 2005 as shown on the attached copy of facsimile confirmation sheet.

A routine status check of the application in Private PAIR on December 12, 2008, revealed that the document is not listed in the Image File Wrapper (IFW) for the application. A follow-up telephone conference with the USPTO's Finance Department also revealed that the request was never received by this department. In this regard, Applicant hereby resubmits

2253

Atty. Dkt. No. SOLAR1120-3
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herewith the previously filed Request for Refund, and Applicant respectfully requests that a credit of \$510.00 be made to Deposit Account No. 19-0741.

In view of the foregoing, it is believed that no fee is required for filing this petition, but should a fee be required, the PTO is authorized to charge an appropriate fee for the filing of this petition to Deposit Account No. 19-0741.

Respectfully submitted,

Date 12/12/08

By Stephen E. Reiter

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank D. Husson, Jr.
Title: SOLAR WATER HEATER AND
PASTEURIZER
Appl. No.: 10/039,277
Filing Date: 01/04/2002
Examiner: Carl D. Price
Art Unit: 3749

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
United States Patent and Trademark Office, Alexandria, Virginia
on the date below.

Rachel Ann Coputo

(Printed Name)

[Signature]
(Signature)

May 17, 2005

(Date of Deposit)

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Under 37 CFR § 1.26(a), applicant hereby requests a refund of \$510.00 for the duplicate Extension for Response within Third Month fee that was charged to the deposit account in the above-identified application on March 29, 2005. Attached is a copy of the relevant pages of the Monthly Statement of Deposit Account for March 2005 for Deposit Account No. 50-0872, together with the response transmittal sheet indicating the request for Extension for Response.

On March 16, 2005, a Response to the Office Action dated September 16, 2004 was filed, along with a Notice of Appeal and a Request for Extension of Time for Response within Third Month. On March 17, 2005, Deposit Account No. 50-0872 was properly charged \$510.00 for the Request for Extension of Time for Response, and \$250.00 for the Notice of Appeal. However, on March 29, 2005, the same docket number and application serial number were improperly charged \$510.00 for a Request for Extension of Time for Response. The second charge is in error in view of the charges dated March 17, 2005. Therefore, Applicant respectfully requests that a credit of \$510.00 be made to Deposit Account No. 50-0872.

In re Application of
Frank D. Husson, Jr.
Application No. 10/039,277

Atty. Dkt. No. SOLARI120-3
(051264-0306)

In view of the foregoing, it is believed that no fee is required for filing this petition, but should a fee be required, the PTO is authorized to charge an appropriate fee for the filing of this petition to Deposit Account No. 50-0872.

Respectfully submitted,

Date 5/17/05

By Stephen E. Reiter

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

Stephen E. Reiter
Registration No. 31,192
Attorney for Applicants

Atty. Dkt. No. SOLAR1120-3
(051264-0306)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank D. Husson, Jr.
Title: SOLAR WATER HEATER AND
PASTEURIZER
Appl. No.: 10/039,277
Filing Date: 01/04/2002
Examiner: Carl D. Price
Art Unit: 3743

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile transmitted to the
United States Patent and Trademark Office, Alexandria, Virginia
on the date below:

Rachel Ann Caputo

(Printed Name)

[Signature]

March 14, 2005

(Date of Deposit)

AMENDMENT TRANSMITTAL

COPI

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the
total number of months checked below:

[X] Extension for response filed within the third month:	\$1,020.00	\$1,020.00
EXTENSION FEE TOTAL:		\$1,020.00
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$1,020.00
[X] Small Entity Fees Apply (subtract ½ of above):		\$510.00
TOTAL FEE:		\$510.00

[X] Notice of Appeal is enclosed.

[X] Please charge Deposit Account No. 50-0872 in the amount of \$510.00. A duplicate copy
of this transmittal is enclosed.

In re Application of
Frank D. Husson, Jr.
Application No. 10/039,277

Atty. Dkt. No. SOLAR1120-3
(051264-0306)

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.


Respectfully submitted,

Date

3/14/05

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

By


Stephen E. Reiter
Registration No. 31,192
Attorney for Applicants

USPTO DEPOSIT ACCOUNT BREAKDOWN
Corresponding to Invoice dated 3/31/2005
Account #50-0872

Date	Docet No.	Bill Atty.	Serial No.	Charges	Credits	Fee Code	Description
3/16/2005	034827/4301	BSW	60/648377	200.00		1005	Provisional Application Filing Fee
3/16/2005	035384/0283	DPL	PCT/US05/07762	40.00		8007	Copy of Patent Application as Filed
3/16/2005	034827/4301	BSW	60/648377	50.00		1052	Surcharge - Late Provisional Filing Fee or Cover Sheet
3/16/2005	074066/0702	SER	11/078214	150.00		2011	Basic Filing Fee - Utility filed on or after December 8, 2004
3/16/2005	074066/0702	SER	11/078214	250.00		2111	Utility Search Fee
3/16/2005	074066/0702	SER	11/078214	100.00		2311	Utility Examination Fee
3/17/2005	041673/2063	SLT	09/517363	650.00		2202	Claims in Excess of 20
3/17/2005	041673/2063	SLT	09/517363	400.00		2201	Independent Claims in Excess of Three
3/17/2005	051264/0306	SER	10/039277	510.00		2253	Extension for Response within Third Month
3/17/2005	051264/0306	SER	10/039277	250.00		2401	Notice of Appeal
3/17/2005	071243/0248	SER	10/345031	1,020.00		1253	Extension for Response within Third Month
3/17/2005	071243/0248	SER	10/345031	130.00		1814	Statutory Disclaimer
3/17/2005	071243/0248	SER	10/345031	180.00		1806	Submission of an Information Disclosure Statement
3/17/2005	071949/9102	SER	11/080211	300.00		1011	Basic Filing Fee - Utility filed on or after December 8, 2004
3/17/2005	071949/9102	SER	11/080211	500.00		1111	Utility Search Fee
3/17/2005	071949/9102	SER	11/080211	200.00		1311	Utility Examination Fee
3/17/2005	310421/1260	GFS	PCT/US05/07906	216.00		1703	Supplemental International Filing Fee (for each page over thirty)
3/17/2005	310421/1260	GFS	PCT/US05/07906	20.00		8007	Copy of Patent Application as Filed
3/18/2005	041673/3106	SLT	10/332306	65.00		2453	Petition to Revive Unintentionally Abandoned Application
3/18/2005	071344/0306	SER	09/491322	100.00		1811	Certificate of Correction
3/18/2005	073442/3502	RJW	11/022426	65.00		2051	Surcharge - Late Filing Fee or Oath or Declaration
3/18/2005	071949/9101	BSW	10/778919	1,400.00		1501	Utility Issue Fee
3/18/2005	071949/9101	BSW	10/778919	30.00		8001	Printed Copy of Patent w/o Color, Delivery by USPS, USPTO Box, or Elect. Means
3/18/2005	071949/7006	BSW	10/938760	790.00		1001	Basic Filing Fee - Utility filed before December 8, 2004
3/18/2005	071949/7006	BSW	10/938760	130.00		1051	Surcharge - Late Filing Fee or Oath or Declaration
3/18/2005	071949/7006	BSW	10/938760	500.00		1202	Claims in Excess of 20
3/18/2005	071949/5906	BSW	11/022552	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/18/2005	071949/5904	BSW	10/952275	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/18/2005	071949/0303	SKD	10/104585	20.00		8007	Copy of Patent Application as Filed
3/18/2005	034827/0705	BSW	10/759514	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/18/2005	048181/0107	MCBE	78/589776	325.00		7001	Application for Registration, per International Class (electronic filing)
3/18/2005	048181/0106	MCBE	78/589821	325.00		7001	Application for Registration, per International Class (electronic filing)
3/18/2005	323331/6355	MCBE	78/589912	975.00		7001	Application for Registration, per International Class (electronic filing)
3/21/2005	355908/3303	GFS	10/502149	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/21/2005	078986/0215	GFS	10/873749	20.00		8007	Copy of Patent Application as Filed

USPTO DEPOSIT ACCOUNT BREAKDOWN
Corresponding to Invoice dated 3/31/2005
Account #50-0872

Date	Docket No.	Bk. Atty.	Serial No.	Charges	Credits	Fee Code	Description
3/25/2005	071949/5906	RJW	11/022552	500.00		1111	Utility Search Fee
3/25/2005	071949/5906	RJW	11/022552	250.00		1081	Utility Application Size Fee - For Each Additional 50 Sheets
3/25/2005	047711/0314	TRR	10/368242	300.00		1202	Claims in Excess of 20
3/25/2005	071949/5906	BSW	11/022552	100.00		1202	Claims in Excess of 20
3/25/2005	047711/0314	TRR	10/368242	400.00		1201	Independent Claims in Excess of Three
3/25/2005	071949/5906	BSW	11/022552	130.00		1051	Surcharge - Late Filing Fee or Oath or Declaration
3/28/2005	041673/2110	SLT	10/381956	60.00		2251	Extension for Response within First Month
3/28/2005	033946/0801	BSW	10/859689	50.00		1202	Claims in Excess of 20
3/28/2005	033946/0801	BSW	10/859689	120.00		1251	Extension for Response within First Month
3/28/2005	071949/2508	BSW	10/746282	790.00		1001	Basic Filing Fee - Utility filed before December 8, 2004
3/28/2005	071949/2508	BSW	10/746282	130.00		1051	Surcharge - Late Filing Fee or Oath or Declaration
3/28/2005	052896/8010	MCBE	78/595527	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8011	MCBE	78/595542	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8015	MCBE	78/595551	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8016	MCBE	78/595563	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8008	MCBE	78/595569	325.00		7001	Application for Registration, per International Class (electronic filing)
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3/28/2005	052896/8007	MCBE	78/595579	325.00		7001	Application for Registration, per International Class (electronic filing)
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3/28/2005	052896/8022	MCBE	78/595592	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8023	MCBE	78/595600	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8025	MCBE	78/595642	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8026	MCBE	78/595643	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8027	MCBE	78/595644	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8029	MCBE	78/595646	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8018	MCBE	78/595649	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8020	MCBE	78/595652	325.00		7001	Application for Registration, per International Class (electronic filing)
3/28/2005	052896/8024	MCBE	78/595655	325.00		7001	Application for Registration, per International Class (electronic filing)
3/29/2005	051264/0306	SER	10/039277	510.00		2253	Extension for Response within Third Month
3/29/2005	039363/1702	RJW	10/941635	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/30/2005	041673/2094	SLT	10/154759	100.00		2201	Independent Claims in Excess of Three
3/30/2005	041673/2092	SLT	10/006305	100.00		2201	Independent Claims in Excess of Three
3/31/2005	048431/0301	SLT	10/954627	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property
3/31/2005	048431/0301	SLT	10/954627	40.00		8021	Recording each Patent Assignment, Agreement or Other Paper, per Property

COMMUNICATIONS RESULT REPORT (MAY. 17. 2005 4:36PM)

FAX HEADER 1: FOLEY 8587926773
FAX HEADER 2: FOLEY 8587926773

TRANSMITTED/STORED : MAY. 17. 2005 4:53PM
FILE MODE OPTION

FILE MODE	OPTION	ADDRESS	RESULT	PAGE
2782 MEMORY TX		G3-2 : USPTO	OK	7/7

REASON FOR RECORD
E 11 HARD UP OR LINE CALL
E 31 NO ANSWER

E 21 BUSY
E 41 NO FACSIMILE CONNECTION



FOLEY & LARDNER LLP
ATTORNEYS AT LAW
11280 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEY.COM

FACSIMILE TRANSMISSION

Total # of Pages Z (Including this page)

TO:	PHONE #:	FAX #:
Examiner Carl D. Price Group Art Unit 3749 U.S. Patent and Trademark Office	371- 577-272-4880	703-872-9306

From : Stephen E. Reiter
Email Address : sreiter@foley.com *ME*
Sender's Direct Dial : 858.847.6711
Date : May 17, 2005
Client/Matter No : 051264-0306 (SOLAR1120-3)
User ID No : 9055

MESSAGE:

U.S. Patent Application No. 10/039,277

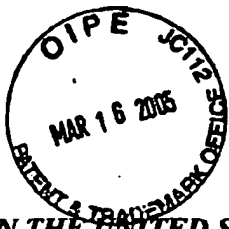
Following is:

- 1) Request for Refund (with copy of Amendment Transmittal filed March 14, 2005,
and copy of Deposit Account Breakdown for Account No. 50-0872.

If there are any problems with this transmission or if you have not
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Operator:	Time Sent:	Return Original To: Rachel Caputo
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Atty. Dkt. No. SOLAR1120-3
(051264-0306)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank D. Husson, Jr.

Title: SOLAR WATER HEATER AND
PASTEURIZER

Appl. No.: 10/039,277

Filing Date: 01/04/2002

Examiner: Carl D. Price

Art Unit: 3743

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Rachel Ann Caputo</u> (Printed Name)</p> <p><u>Rachel Ann Caputo</u> (Signature)</p> <p><u>March 14, 2005</u> (Date of Mailing)</p>
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AMENDMENT AND REPLY TO OFFICE ACTION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Final Office Action dated September 16, 2004, concerning the above-referenced patent application.

Applicant has enclosed with this amendment a Petition for Extension of Time for three months to make this response timely.

Amendments to the Specification begin on page 2 of this document.

Listing of Claims begins on page 4 of this document.

Amendments to the Drawings begin on page 9 of this document and include attached replacement sheets and annotated sheets showing changes.

Remarks begin on page 10 of this document.

03/17/2005 MAHRED1 00000014 500872 10039277

01 FC:2253 510.00 DA

Adjustment date: 12/18/2008 SDIRETA1
03/29/2005 FFIELDS 00000006 500872 10039277
01 FC:2253 510.00 CR